

REMARKS

By this amendment, claims 1-36 are pending in the present application, in which claims 1-3, 5, 6, 8-12, 14, 17-21, 24-29 and 31-36 are currently amended. No new matter is introduced.

The Office Action dated July 12, 2010:

(1) rejected claims 9 and 25 under 35 U.S.C. § 101 as being directed to non-statutory subject matter;

(2) rejected claims 1-7, 9-16, 18 and 32-36 under 35 U.S.C. § 103(a) as being unpatentable over *Omar* (US 2004/0170155) in view of *Sharma* (US 2003/0125953); and

(3) rejected claims 8, 17, 24 and 31 under 35 U.S.C. § 103(a) as being unpatentable over *Omar* (US 2004/0170155) in view of *Sharma* (US 2003/0125953), and further in view of *Chatterjee* (US 6,947,440).

A. 35 U.S.C. § 101 Rejection of Claims 9 and 25

In order to advance prosecution in this matter, Applicants have amended each of independent claims 9 and 25 to recite “[a] non-transitory computer-readable storage medium,” which excludes transitory signals. Applicants, therefore, respectfully submit that claims 9 and 25 are drawn to statutory subject matter, and request withdrawal of the rejection under 35 U.S.C. § 101.

B. 35 U.S.C. § 103(a) Rejection of Claims 1-7, 9-16, 18 and 32-36 Over Omar In View Of Sharma

Applicants respectfully traverse the 35 U.S.C. § 103(a) rejection of claims 1-7, 9-16, 18 and 32-36 over *Omar* in view of *Sharma*, because all features of the claims are not disclosed by the applied art, either individually or in combination, and the cited combination fail to provide any objective evidence of a basis for motivation to make the cited combination.

By way of example, independent claim 1 specifies a method for retrieving of content from a web server that is upstream over a communication network from a browser application and a downstream proxy, wherein a request for the content is first received at the downstream proxy from the browser application. In particular, claim 1 recites, *inter alia*, “modifying the request to specify support of a parse and pre-fetch function,” and then “forwarding the modified request over a communication link of the communication network to the web server, wherein the upstream proxy, if present, intercepts the modified request and, in response to the specified support of the parse and pre-fetch function, executes the parse and pre-fetch function.” Applicants submit, as presented below, that neither *Omar* or *Sharma* alone, nor the combination of *Omar* in view of *Sharma*, discloses or suggests such elements or functions whereby the content request is modified to specify support of a parse and pre-fetch function, and then the modified request is sent over a link of the communication network to the web server, as presently claimed.

Omar generally discloses a system for providing data access between an information source and a mobile communication device that includes a transcoding system and a first network device (Omar, ¶ 10). The transcoding system includes a plurality of transcoders, and each transcoder converts information content from a first content type into a second content type depending on the protocol capabilities of the mobile communication device (Omar, ¶¶ 9-10).

The first network device is in communication with the transcoding system and includes a connection handler system (Omar, ¶ 10). The connection handler system receives connection data specifying a connection between the information source and the mobile communication device, and selects a corresponding connection handler (Omar, ¶ 10). The connection handler selects one or more transcoders from the plurality of transcoders to transcode the information content (Omar, ¶ 10).

First, in reading Omar on claims 1, 9-10, 19, 25-26, 32 and 36, with respect to the claim element of modification of the request, the Office Action asserts as follows:

modifying the request to include information specifying support as to permit handling of the modified request by the web server in absence of an upstream proxy that is communicating with the web server (paragraph [0124], Omar discloses modifying the request to include other content type; (Office Action, Page 4).

This assertion, however, ignores the specific “modification” recited in the present claims – *See, e.g.*, Claim 1 (“modifying the request to specify support of a parse and pre-fetch function”). By contrast, the cited paragraph 124 from Omar discusses the modification of a content request to specify other content types supported by applicable transcoders (Omar, ¶ 124), and not modification to specify support of a parse and pre-fetch function.

Specifically, Omar teaches a system that provides for transcoders to convert the content of an information source from a source content type into a format acceptable to the requesting mobile device (Omar, ¶¶ 48, 100, 102, 124). The mobile device transmits a content request, which identifies the content type being requested and identifies an acceptable format of the mobile device (Omar, ¶¶ 80-81, 100). Based on the requested content type, the request is sent to the appropriate connection handler (e.g., an HTTP request is forwarded to the HTTP connection handler) (Omar, ¶¶ 80-81, 100, 124). The connection handler accesses a configuration file to determine the availability of transcoders to convert the content from the

source content type into the format acceptable to the mobile device (Omar, ¶¶ 80-81, 100, 124). The connection handler also determines the availability of transcoders capable of converting other content types into the identified mobile device format, and modifies the request to include identification of such other content types (Omar, ¶¶ 80-81, 100, 124). The request is thereby modified to identify (to the information source) all content types for which transcoders are available to convert the source content type into the format acceptable to the requesting mobile device. Omar, however, fails to disclose or suggest “modifying the request to specify support of a parse and pre-fetch function,” as recited in claim 1 of the present application.

Second, in reading Omar on claims 1, 9-10, 19, 25-26, 32 and 36, with respect to the claim element of forwarding the modified request to the web server, the Office Action asserts as follows:

Forwarding the modified request towards the web server (paragraph [0124], Omar discloses the modified request is sent to the web server), wherein the upstream proxy, if present, intercepts the modified [request] (paragraph [100]); (Office Action, Page 4).

The cited paragraph 100 of Omar, however, discloses that the original request is intercepted by the connection handler – and not the modified request as presently claimed.

Specifically, paragraph 100 of Omar, with reference to Fig. 8, describes the signal flow of an example HTTP operation for an external transcoder system, such as the system shown in FIG. 7 (Omar, ¶ 100). Paragraph 100 explains that an HTTP request is sent from the mobile device 12 to the IP Proxy 84, indicating that a WMLC format is acceptable to the mobile device 12 (Omar, ¶ 100). The dispatcher 22 receives the request in the IP Proxy system 84, determines that the request is an HTTP request, and forwards the request to the HTTP connection handler 94 (Omar, ¶ 100). The HTTP handler 94 intercepts the request from the mobile device 12, and then refers to a transcoder configuration file 92 to determine the

availability of transcoders to convert other types of content into the format acceptable at the mobile device 12 (Omar, ¶ 100, *emphasis added*). If appropriate transcoders are available, which convert other content types (other than the requested HTTP format) into the WMLC format acceptable to the mobile device 12, then the HTTP handler 94 preferably includes such the other content types in a request that is sent to the information source, such as web server 76 (Omar, ¶ 100). Accordingly, the cited paragraph 100 of Omar specifies that it is the original request that is intercepted by the connection handler, and not the modified request. Indeed, Omar is devoid of any disclosure or teaching whereby a modified request is forwarded to or intercepted by the IP Proxy or the connection handler.

Moreover, according to the teaching of Omar, the original request is forwarded from the requesting mobile device upstream over the wireless network (which is equivalent to the communication network of the present invention) to the IP Proxy (*See, e.g., Omar*, Figs. 5, 7, 10, 15; ¶¶ 80). Within the IP Proxy, the connection handler then modifies the request (as explained above), and forwards the modified request locally to the information source (*See, e.g., Omar*, Figs. 5, 7, 10, 15). By contrast, in accordance with the present invention, the request is modified downstream over the communications network from the upstream proxy and the web server. The modified request is then forwarded [upstream] over the communication network, where it can be intercepted by the upstream proxy for executing the parse and pre-fetch function in response to the modified request.

Omar, therefore, fails to disclose or suggest “forwarding the modified request over a communication link of the communication network to the web server, wherein the upstream proxy, if present, intercepts the modified request and, in response to the specified support of the parse and pre-fetch function, executes the parse and pre-fetch function,” as recited in claim 1 of the present application.

The Office Action then acknowledges that *Omar* lacks the disclosure of a parse and pre-fetch function, and instead cites to *Sharma* for the alleged disclosure of the parse and pre-fetch function (*Office Action*, Page 4). *Sharma*, however fails to rectify the foregoing deficiencies of the *Omar* reference. Specifically, while *Sharma* may disclose a pre-fetch function, *Sharma* lacks any disclosure or suggestion of the modification of a content request to specify support of a parse and pre-fetch function, or the forwarding of such a modified request over the communication network to trigger the parse and pre-fetch function of the upstream server. As with *Omar*, therefore, *Sharma* also lacks the disclosure or suggestion of “modifying the request to specify support of a parse and pre-fetch function,” and “forwarding the modified request over a communication link of the communication network to the web server, wherein the upstream proxy, if present, intercepts the modified request and, in response to the specified support of the parse and pre-fetch function, executes the parse and pre-fetch function,” as recited in claim 1 of the present application.

Further, independent claims 10, 19, 26, 32 and 36 recite features similar to those of claim 1, as addressed above.

Accordingly, for at least the foregoing reasons, neither *Omar* or *Sharma* alone, nor the combination of *Omar* in view of *Sharma*, render independent claims 1, 10, 19, 26, 32 and 36, or claims 2-9, 11-18, 20-25, 27-31 and 33-25 depending therefrom, obvious under 35 U.S.C. § 103.

C. 35 U.S.C. § 103(a) Rejection of Claims 8, 17, 24 and 31 Over *Omar* In View of *Sharma*, and Further In View of *Chatterjee*

Applicants respectfully traverse the 35 U.S.C. § 103(a) rejection of claims 8, 17, 24 and 31 over *Omar* in view of *Sharma*, and further in view of *Chatterjee*, because all features of the claims are not disclosed by the applied art, either individually or in combination.

Claims 8, 17, 24 and 31 depend from claims 1, 10, 19 and 26, respectively. The Office Action applies *Omar* and *Sharma* to the rejected claims on the same bases as with the § 103(a) rejection of their respective independent base claims 1, 10, 19 and 26 (addressed in Section B, above). The Office Action cites to *Chatterjee* for the alleged disclosure of the features of claims 8, 17, 24 and 31, wherein the communication network comprises a Very Small Aperture Terminal (VSAT) satellite network, and the upstream/downstream proxy resides in a VSAT in communication with the web server/browser application. *Chatterjee*, however, also lacks any disclosure or suggestion of the modification of the request to specify support of a parse and pre-fetch function, and the forwarding of the modified request over the communication network to the web server, wherein the upstream proxy can intercept the modified request and execute the parse and pre-fetch function in response to the modified request, as presently claimed.

Accordingly, for at least the reasons set forth above with respect to independent claims 1, 10, 19 and 26, neither *Omar*, *Sharma* and *Chatterjee* alone, nor the combination of *Omar* in view of *Sharma*, and further in view of *Chatterjee*, render independent claims 8, 17, 24 and 31, obvious under 35 U.S.C. § 103.

D. Conclusion

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9951 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

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Date

/Craig Plastrik/

Craig Plastrik

Attorney for Applicant(s)

Reg. No. 41254

918 Prince Street
Alexandria, VA 22314
Tel. (703) 519-9951
Fax (703) 519-9958